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APPLICATION NO	. 1	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/050,507	10/050,507 01/16/2002		Teck Kheng Lee	MTI-31607	7687
31870	7590	04/20/2004		EXAMINER	
		BOECK DUDEK S.	THOMPSON, CRAIG		
555 EAST SUITE 190		TREET	ART UNIT	PAPER NUMBER	
MILWAUKEE, WI 53202				2813	
				DATE MAILED: 04/20/2004	4

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
	10/050,507	LEE, TECK KHENG				
Office Action Summary	Examiner	Art Unit				
	Craig A. Thompson	2813				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
A SHORTENED STATUTORY PERIOD FOR REI THE MAILING DATE OF THIS COMMUNICATION - Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a - If NO period for reply is specified above, the maximum statutory per - Failure to reply within the set or extended period for reply will, by state than three months after the material patent term adjustment. See 37 CFR 1.704(b).	N. 1.136(a). In no event, however, may a reply be reply within the statutory minimum of thirty (30) of the world will apply and will expire SIX (6) MONTHS from the cause the application to become ABANDO	timely filed lays will be considered timely, om the mailing date of this communication, NED (35 U.S.C. § 133).				
Status						
1) Responsive to communication(s) filed on 20	<u> January 2003</u> .					
2a) This action is FINAL . 2b) T	his action is non-final.					
,—	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.					
Disposition of Claims						
 4) Claim(s) 1-50, 53-146 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) 1-50 and 53-146 are subject to restriction and/or election requirement. 						
Application Papers						
9) The specification is objected to by the Exam 10) The drawing(s) filed on 16 January 2002 is/s Applicant may not request that any objection to s Replacement drawing sheet(s) including the con 11) The oath or declaration is objected to by the	are: a) \boxtimes accepted or b) \square object the drawing(s) be held in abeyance. Sometrion is required if the drawing(s) is	See 37 CFR 1.85(a). objected to. See 37 CFR 1.121(d).				
Priority under 35 U.S.C. § 119						
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 						
Attachment(s) 1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413)						
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB. Paper No(s)/Mail Date	Paper No(s)/Mai					

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 96-115, drawn to method, classified in class 438, subclass 106+.

II. Claims 1-50 and 53-95, drawn to device, classified in class 257, subclass

690+.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as process of making and product made. The

inventions are distinct if either or both of the following can be shown: (1) that the

process as claimed can be used to make other and materially different product or (2)

that the product as claimed can be made by another and materially different process

(MPEP § 806.05(f)). In the instant case the process of group I can be used to make

materially different products such as three dimensional ICs or SOI TFT devices.

Because these inventions are distinct for the reasons given above and have

acquired a separate status in the art as shown by their different classification, restriction

for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the

search required for Group II is not required for Group I, restriction for examination

purposes as indicated is proper.

A telephone call was made to Kristine Strodthoff on 4/16/04 to request an oral

election to the above restriction requirement, but did not result in an election being

made.

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Applicant is advised that the reply to this requirement to be complete must

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include an election of the invention to be examined even though the requirement be

traversed (37 CFR 1.143).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Craig A. Thompson whose telephone number is

(571)272-1699. The examiner can normally be reached on Monday-Friday 8:00 am -

4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Carl Whitehead, Jr. can be reached on (571)272-1702. The fax phone

number for the organization where this application or proceeding is assigned is 703-

872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Craig A. Thompson
Primary Examiner

Art Unit 2813

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19 April 2004